

Jeffrey W. Dulberg (CA State Bar No. 181200)
John Lucas (CA State Bar No. 271038)
Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
Telephone: 310/277-6910
Facsimile: 310/201-0760
E-mail: jdulberg@pszjlaw.com
jlucas@pszjlaw.com

Counsel to Bradley D. Sharp, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

LESLIE KLEIN,

Debtor.

Case No.: 2:23-bk-10990-SK

Chapter 11

**REPLY OF CHAPTER 11 TRUSTEE TO
CONDITIONAL OPPOSITION TO MOTION
FOR ORDER AUTHORIZING (1) SALE OF
REAL PROPERTY COMMONLY KNOWN
AS 161 NORTH POINSETTIA, FREE AND
CLEAR OF ALL LIENS CLAIMS AND
ENCUMBRANCES; AND (2) PAYMENT OF
REAL ESTATE BROKERS' COMMISSION
AND RELATED EXPENSES;
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATIONS OF MR.
SHARP AND MR. FLORES IN SUPPORT**

Date: January 24, 2024
Time: 9:00 am
Courtroom: 1575
Location: 255 E. Temple Street
Los Angeles, CA 90012
Judge: Hon. Sandra R. Klein

[Relates to Docket Nos. 537 and 571]

Bradley D. Sharp, the duly appointed chapter 11 trustee (the “*Trustee*”) of the bankruptcy estate of Leslie Klein (the “*Debtor*”), hereby files this reply (the “*Reply*”) to the conditional opposition (the “*Opposition*”) [Docket No 571], filed by Ajax Mortgage Loan Trust 2021-D, Mortgage-Back Securities, Series 2021-D, by U.S. Bank National Association, as Indenture Trustee,

1 its successors and/or assignees (the “**Lender**”), in response to the *Motion for Order Authorizing (1)*
2 *Sale of Real Property Commonly Known as 161 North Poinsettia Place, Los Angeles, California*
3 *90036, Free and Clear of All Liens Claims and Encumbrances Pursuant to 11 U.S.C. §§ 363(b) and*
4 *(f); and (2) Payment of Real Estate Brokers’ Commission and Sale Related Expenses; Memorandum*
5 *of Points and Authorities; Declarations of Bradley D. Sharp and Steve Flores In Support Thereof*
6 (the “**Sale Motion**”) [Docket No. 537]. In support of the Reply, the Trustee represents as follows:

7 As set forth in the Sale Motion, the Trustee negotiated the sale of the real property located at
8 161 N. Poinsettia, Los Angeles, CA (the “**Property**”) for a purchase price sufficient to pay the
9 Lender in full, with the excess unencumbered sale proceeds to be paid to the Debtor’s estate. Subject
10 to the actual closing of the sale and the reconciliation of accrued interest through such date, the
11 Trustee does not “dispute” the Lender’s claim. The Trustee is not making any special
12 accommodations with the Lender regarding the payoff of the Lender’s claim. The Trustee and his
13 advisors will work with the Lender’s counsel to pay off the Lender’s claim in connection with the
14 closing of the sale, just as the Trustee did with the Debtor’s lender in connection with the Court-
15 approved sale of the Debtor’s Oxnard, California property which the Trustee successfully closed in
16 late 2023. If the sale of the Property does not close – and the Trustee has no reason to believe that it
17 will not – the Trustee will discuss with the Lender the best way to pay any outstanding property
18 taxes that ensures any payment is duly applied to the real property tax account for the Property (the
19 Trustee does not have an actual tax statement for the Property and he believes that it is better
20 practice to pay the real property taxes through escrow as opposed to paying money to the taxing
21 authority without any documentation).

22 If the Court has any questions regarding the Sale Motion or Opposition, the Trustee’s
23 advisors will address them at the hearing on the Sale Motion.

24 Dated: January 17, 2024

PACHULSKI STANG ZIEHL & JONES LLP

25
26 By: /s/ John W. Lucas
John W. Lucas

27 Attorneys for Bradley D. Sharp, Chapter 11
28 Trustee

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067

A true and correct copy of the foregoing document entitled (*specify*): **REPLY OF CHAPTER 11 TRUSTEE TO CONDITIONAL OPPOSITION TO MOTION FOR ORDER AUTHORIZING (1) SALE OF REAL PROPERTY COMMONLY KNOWN AS 161 NORTH POINSETTIA, FREE AND CLEAR OF ALL LIENS CLAIMS AND ENCUMBRANCES; AND (2) PAYMENT OF REAL ESTATE BROKERS' COMMISSION AND RELATED EXPENSES; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATIONS OF MR. SHARP AND MR. FLORES IN SUPPORT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **January 17, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On (*date*) **January 17, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **January 17, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Federal Express

Honorable Sandra R. Klein
United States Bankruptcy Court/Central District of
California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1582 / Courtroom 1575
Los Angeles, CA 90012

Via Email:

Simon Aron on behalf of Kenneth Klein and Shoshana
Shrifa Klein: saron@wrslawyers.com;
moster@wrslawyers.com

Leslie Klein: les.kleinlaw@gmail.com;
leskleinlaw@gmail.com; kleinlaw@earthlink.net

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 17, 2024

Date

Nancy H. Brown

Printed Name

/s/ Nancy H. Brown

Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Case 2:23-bk-10990-SK

- **Simon Aron** saron@wrslawyers.com, moster@wrslawyers.com
- **Reem J Bello** rbello@goeforlaw.com, kmurphy@goeforlaw.com
- **Ron Bender** rb@lnbyg.com
- **Michael Jay Berger** michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com; michael.berger@ecf.inforuptcy.com
- **Greg P Campbell** chl1ecf@aldridgepite.com, gc@ecf.inforuptcy.com; gcampbell@aldridgepite.com
- **Baruch C Cohen** bcc@BaruchCohenEsq.com, paralegal@baruchcohenesq.com
- **Theron S Covey** tcovey@raslg.com, sferry@raslg.com
- **Jeffrey W Dulberg** jdulberg@pszjlaw.com
- **Dane W Exnowski** dane.exnowski@mccalla.com, bk.ca@mccalla.com, mcallaecf@ecf.courtdrive.com
- **Alan W Forsley** alan.forsley@flpllp.com, awf@fklawfirm.com, awf@fl-lawyers.net, addy@flpllp.com
- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com
- **Michael I. Gottfried** mgottfried@elkinskalt.com, cavila@elkinskalt.com, lwageman@elkinskalt.com, docketing@elkinskalt.com
- **Brandon J. Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Michael S Kogan** mkogan@koganlawfirm.com
- **Marc A Lieberman** marc.lieberman@flpllp.com, safa.saleem@flpllp.com, addy@flpllp.com
- **John W Lucas** jlucas@pszjlaw.com, ocarpio@pszjlaw.com
- **Armen Manasserian** armen@cym.law, jennifer@cym.law; cameron@cym.law; paul@cym.law
- **Ron Maroko** ron.maroko@usdoj.gov
- **Kirsten Martinez** Kirsten.Martinez@bonialpc.com, Notices.Bonial@ecf.courtdrive.com
- **Steven M Mayer** smayer@mayerlawla.com
- **Christopher M McDermott** chl1ecf@aldridgepite.com, CMM@ecf.inforuptcy.com; cmcdermott@aldridgepite.com
- **Krikor J Meshefejian** kjm@lnbyg.com
- **Kenneth Miskin** Kenneth.M.Miskin@usdoj.gov
- **Jeffrey P Nolan** jnolan@pszjlaw.com
- **Eric J Olson** eric@ejolsonlaw.com
- **Jeffrey N Pomerantz** jpomerantz@pszjlaw.com
- **Brian A Procel** bprocel@millerbarondess.com, rdankwa@millerbarondess.com; docket@millerbarondess.com
- **Joshua L Scheer** jscheer@scheerlawgroup.com, jscheer@ecf.courtdrive.com
- **Mark M Sharf (TR)** mark@sharfllaw.com, C188@ecfcbis.com; sharf1000@gmail.com; 2180473420@filings.docketbird.com
- **Bradley D. Sharp (TR)** bsharp@dsi.biz
- **Richard P Steelman** rps@lnbyg.com, john@lnbyg.com
- **Nikko Salvatore Stevens** nikko@cym.law, mandi@cym.law
- **Alan G Tippie** Alan.Tippie@gmlaw.com, atippie@ecf.courtdrive.com; Karen.Files@gmlaw.com, patricia.dillamar@gmlaw.com, denise.walker@gmlaw.com
- **Gary Tokumori** gtokumori@pmcos.com
- **United States Trustee (LA)** ustpreion16.la.ecf@usdoj.gov
- **Michael L Wachtell** mwachtell@buchalter.com
- **John P. Ward** jward@attleseystorm.com, ezhang@attleseystorm.com
- **Brett J. Wasserman** wasserman@smcounsel.com
- **Alex M Weingarten** aweingarten@willkie.com, lcarter@willkie.com
- **Clarisse Young** youngshumaker@smcounsel.com, levern@smcounsel.com
- **Paul P Young** paul@cym.law, jaclyn@cym.law
- **Roye Zur** rzur@elkinskalt.com, cavila@elkinskalt.com; lwageman@elkinskalt.com; 1648609420@filings.docketbird.com

2. SERVED BY UNITED STATES MAIL:

Peter C. Anderson, U.S. Trustee
Michael Jones, Assistant U.S. Trustee
Office of the U.S. Trustee
915 Wilshire Boulevard, Suite 1850
Los Angeles, CA 90017

Leslie Klein & Associates, Inc.
c/o Parker Milliken
555 Flower Street
Los Angeles, CA 90071

Nathan Talei
Oldman, Sallus & Gold, L.L.P.
16133 Ventura Blvd., PH-A
Encino, CA 91436

Leslie Klein
322 N. June Street
Los Angeles, CA 90001